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Bottlenose Dolphin Take Reduction Team

A Summary of the Second Meeting

Wilmington, North Carolina

January 23 – 25, 2002

**Prepared by
Jim Feldt and Hans Neuhauser
Facilitators**

February 21, 2002

Introduction

The second meeting of the Bottlenose Dolphin Take Reduction Team (TRT) was held on January 23 – 25, 2002 at the Ramada Inn and Conference Center in Wilmington, North Carolina. Kathy Wang of the National Marine Fisheries Service (NMFS) convened the meeting. The primary foci of the meeting were: (1) responses to questions raised earlier by TRT members, (2) developing a preliminary list of preferred options for the blue crab pot fishery on the east coast, and (3) identifying options for gillnets, particularly for the winter mixed stock management unit. This document summarizes the results of the second and third items.

Participants

TRT Members and Alternates

TRT members and alternates present for the second meeting were: David Beresoff, Tina Berger, Paul Biermann, Joe DeAlteris, Lewis Gillingham, Charlotte Gray, Mike Greco, Bruce Halgren, Chris Hickman, Bill Hitchcock (alternate for Jerry Schill), Chris Ludford (alternate for Peter Nixon), Richard Luedtke, Rick Marks, Bill McLellan, Emily Menashes, Red Munden, Robert Munson, Margaret Murphy, Jeff Oden (alternate for Douglas Guthrie), Bill Outten, Carl Poppell, Tim Ragen, Andy Read, John Reynolds, Butch Rommel, Richard Seagraves, Dave Swanner (alternate for Mike Peele), Mark Swingle, Chris Walker, Kathy Wang, Robert West, David Woolman, Nina Young and Sharon Young.

TRT members who were not present and not represented by an alternate were: Mike Baker, Gordon Colvin, David Cupka, Martin Dunson, Fulton Love, Dave Martin, Ken Moran, Leonard Voss, Drew Willis, Chris Zeman and Barb Zoodsma.

Contact information for TRT Members and Alternates may be found in Appendix I of the “Summary of the First Meeting” (November 6-8, 2001; document number 1-23-02 s).

Presenters and Facilitators

Presenters at the second meeting were: Barbie Byrd, Bill Foster, Aleta Hohn, Debbie Palka, David Potter, Marjorie Rossman, Mike Tork and Kathy Wang. The facilitators were Jim Feldt and Hans Neuhauser.

Observers

Twenty-eight observers signed registration sheets indicating their attendance at part or all of the TRT meeting. Their names and contact information are provided in Appendix I.

Responses to the TRT's questions

The NMFS provided responses to questions raised by the TRT at its first meeting in November, 2001.

PBR: Potential Biological Removal

Dr. Joe DeAlteris presented the response submitted by Dr. Randall S. Wells, chair, on behalf of the Atlantic Scientific Review Group regarding the TRT's questions regarding the allocation of PBR (document 1-23-02 c).

Estimated effects of Fishery Management Plans on future landings of monkfish, dogfish, shad and striped bass (document 1-23-02 h)

Projected effects of Fishery Management Plans for monkfish, dogfish, shad and striped bass on by-catches of Bottlenose Dolphin

Collation of primary data for areas where no takes have been observed (internal waters and GA, SC and northern FL) (documents 1-23-02 g, 1-23-02 i – 1-23-02 o)

Examination of gear removed from stranded Bottlenose Dolphin

Collate observer logs and photographs of observed takes (document 1-23-02 d)

Membership roster of the Atlantic Scientific Review Group

A roster of ASRG members as of November 2001 was distributed (document 1-23-02 b).

Other Issues

Schedule for Independent Review

The NMFS has developed the list of questions and a potential reviewers' list. Responses should be available in time for the fourth TRT meeting on March 27 – 28, 2002.

Co-option of Dolphin Survey Funds

Concern was expressed that funding for dolphin surveys off the east coast was being co-opted for dolphin research in the Gulf of Mexico. It was suggested that a letter of concern be sent to members of the House and Senate appropriations committees from the TRT seeking to get the money back. An ad hoc committee agreed to draft such a letter and present it to the TRT for review. The draft was presented to the TRT and suggested changes made. Since some TRT members were either unwilling or unable to sign such a letter, it was agreed that the letters would be sent on behalf of those people who signed

the letters. A copy of the text of the letters to the House and Senate and a list of signers with their affiliations are provided in Appendix II.

Opening Statement of Concern

One TRT member asked for an explanation of the motivation for the “Opening statement of concern by members of the Bottlenose Dolphin Take Reduction Team” (Appendix III of “A Summary of the First Meeting”). The response: It’s just a record of our concerns. We hope for a resolution through the TRT process. Asked if the signors could still buy into the process and negotiate in good faith, the answer was “yes.”

Blue Crabs on the East Coast

The TRT decided to address the blue crab pot fishery on the east coast first.

Description of the likely future (4-6 years out):

TRT members were asked to describe the likely future of the blue crab pot fishery in the next four to six years as it related to bottlenose dolphins. This fact-finding effort sought to identify what kinds of changes in gear type, fishery practices, regulations, etc. could be anticipated. What would likely remain the same? The responses included the following:

- Would it be better to describe the future by region? For example, describe Delaware Bay versus the Carolinas versus the upper Chesapeake area.
- We are looking at increased restrictions at the state level.
- We do not expect changes in the technology or how crab pots are deployed.
- Let us be specific that we are looking at the East Coast blue crab pot fishery.
- The gear are not likely to change.
- May be limits on where gear can be placed.
- Our state already has limits on the number of pots--300 in Maryland, etc.
- In NC, we will be looking at fewer pots, either through regulation or due to economics. (The markets going to the wayside and cannot support the number of pots that have been fished.).
- In GA, we have already cut back on the number of pots to 200 pots per crabber with a total of 159 crabbers. We expect gear changes (to use of a larger mesh) to allow smaller crabs to escape from the pots. These changes are needed since the number of crabs is falling.
- In GA, we are already looking at dolphin interactions. This is where we have dolphins feeding from the bait wells of pots and becoming entangled with gear.
- In GA, all the data are for the waters off the beaches and none of it is for internal waters.
- In NJ, we do not anticipate any significant changes. We already have size limits, limited entry on the fishery, etc.
- In VA, effort is already capped. We will likely see even more reduction in effort. We may see more sanctuary areas created (in the lower bays where water is of higher salinity and dolphins are more likely to be). Potentially, there could be a ban on

sponge crabs. There will likely be a shift from hard crab pots to peeler crab pots set in shallower waters.

- In SC, officials say there is no problem. However, many of the picking houses are closed. The market is gone or is going. You can still buy a crab license, even if you are from out of state.
- In GA, peeler pots (which use a small mesh) are treated separately from crab pots. We are trying to eliminate peeler pots.

Problems in the blue crab pot fishery

TRT members were then asked to identify problems related to dolphins both now and in the future. The responses included:

- MD, none.
- NJ, ditto.
- DE, none.
- NC has recommended that the blue crab fishery not be elevated to a category II fishery. We see the problem with dolphin interactions as being primarily in the southern waters (GA and SC), where dolphin feed on bait and get entangled in lines. Much of it seems to us to be a localized problem.
- We have had recorded interactions in VA, although not at level of GA and SC. I can think of 3 or 4 examples. The problem does exist, but not the same level as other areas.
- It is not clear that we have looked hard enough for the interactions. I am not sure about the number of interactions that occur.
- There is clearly a need for research on this.
- In SC, we do not have problems with dolphin going for bait wells. This is still mostly a GA phenomenon.
- When the decision about elevating the blue crab fishery to category II came up, an enforcement official in NC could recall only one instance.
- When were the interactions in VA? Was this when the state restricted the take of dark sponge crabs, around 1998 and 1997? Have the interactions fallen off since then? It seems as if the sponge crab restrictions have created de facto sanctuary areas to the benefit of crabs and dolphins.
- In Virginia I can remember only a few interactions in the ten years I have been here. We see line marks on stranded animals. I have found one live animal that was tangled in a trap. The changes in the law are removing gear from waters where there are more dolphins. Some of the interactions have occurred up in the inlets.
- Sinking lines should not be polypropylene lines with lead weights attached. There should be a consistent use of nylon sinking cord in all states.
- In GA, we have been charged with only a low number of entanglements. But if you have any entanglements, you have a problem.
- There is no accurate documentation of interactions with crab pots. There is not a clear distinction between blue crab lines and other pot lines. So if constraints are placed on blue crab pots, we need to treat them fairly. It may not be blue crab pots that are the cause of the problems in FL.

- There was a test case in southern NC, when a dolphin stranded which showed line marks was decided to be consistent with crab pot lines on a post hoc basis. We need a way for stranding personnel to determine if there was a crab pot interaction. Can we agree that certain types of line marks can be attributed to blue crabs pot lines? What will the observers use to determine cause?
- NMFS is aware of interaction problems in the blue crab fishery in SC and in the Indian and Banana Rivers in FL.
- In SC, we only have 26,000 pots total.
- If all crab pots use a uniform cord it might make it easier to identify the line marks on the dolphin.
- I run a minimum of 200 pots every day that I am allowed to haul them (in VA). We are talking about a huge amount of effort with the number of pots and the daily hauls of pots for only a very small number of entanglement incidents. It appears that the effort to entanglement ratio is very low in VA and MD.
- In GA, a recently stranded dolphin had rebar and floating rope attached to it. That rebar and line could have come from another type of pot or from a recreational crabber's gear.
- MD has a two-year apprentice program for people who want to become commercial crabbers, so that they properly use gear.
- Recreational crabbers in MD do not use many pots. They are allowed a couple of pots to be tied off their own piers. This does not seem to be a problem for us.
- So far, the real problem that I have heard about deals with sinking lines.
- This team does not seem to have a lot of information nor does it have the ability to address the problem. Perhaps what we need is more research. We could ask the states to look at sinking lines, inverted bait wells, and so on.

Options with associated pluses and minuses

The TRT then identified and discussed a variety of options that might be considered. Included in this discussion was a consideration of pluses and minuses for the various options. Options identified and considered included:

- Set a period of time (a few days or more) where all pots are removed; during that time, officials would remove any gear that has not been pulled by the crabbers. (This is done in TX.) This helps to get abandoned gear (ghost gear) out of the water.
- In NC, gear has to be removed for two weeks in early February--ghost gear is then pulled out.
- In SC, gear is supposed to be pulled every five days--you are not allowed to pull other people's gear, so we cannot pull abandoned pots.
- In MD, gear is out of the water for the closed season (Nov. 30 to April 1). Gear that is in the water during the closed season can be pulled out by anyone.
- In NC, as a shrimper, I take care of removing all of the pots without buoys.
- NJ has a 72 hour haul law. Derelict pots are reported to law enforcement to be pulled. Pots are required to identify the owner.
- In VA, we close the season from Dec. 1 to April 1 and all gear has to be pulled. We make an effort to collect gear that has been left.

- At a recent Gulf States fisheries meeting, we were shown a picture of a tidal flat at low tide that was covered with abandoned pots.
- GA is a year-round fishery for blue crab and so is FL.
- GA has a recycling program for old traps.
- DE has a closed season from November to April. If we see pots out of line or where they do not belong, we try to reach the owner and inform him or her. Generally, ghost gear is hard to find since the float has normally been cut off.
- Keep in mind that ghost gear is there because it cannot be found. A pot costs about \$25 to 30, so crabbers do not just carelessly abandon pots. Second, we are not likely to see dolphins in many of these northern waters in the winter months, during the closed season.
- The TRT could encourage states to have: (1) a derelict pot removal program, (2) sinking line, and (3) educational materials to better inform licensed crabbers.
- The TRT could recommend that all states require the use of sinking lines, and encourage states to have a closed season to help remove derelict pots.
- Look at better research and data, possibly through an observer program for the southern states. Recommend that NMFS improve observer coverage of the blue crab pot fishery (not just for the Southern states) to assess the scope of the problem. (NMFS noted that it would not a wise use of agency funds for an observer program for blue crabs due to the rare occurrence of problems.) This has been listed as a category II fishery based on limited information. We need more information. There is a cost to NMFS and a cost to the fishery that needs to be considered. Some of us do not see the value of observers for the blue crab fishery. In the Northeast, whales get into the lines of lobster pots, but it is a very rare occurrence, and an observer program there does not make sense. Any fishery at category II gets to sit at the table on a TRT.
- I am concerned about NMFS not wanting to spend money on blue crab observers, when any changes in gear (e.g., redesigned bait wells or break away lines) will impose a cost on the crabbers.
- Need to at least formalize what the stranding personnel are to look for to determine if the stranding is likely due to the crab pot (i.e., methodology).
- For states with a year round season, instead of a closed season, encourage (or at least do not penalize) people to pull derelict gear.
- Encourage gear configurations to reduce interactions, such as inverted bait wells in traps. Educate crabbers about the new designs. In areas where dolphins are beginning to learn how to get bait from traps, newly designed traps should be adopted early to snuff out the learned behavior.
- Sinking lines should not consist of floating line with added lead weights. Sinking lines should sink due to their composition. It should not be twisted line but braided line. Allow no twisted or braided poly rope.
- Is the issue the vertical line or the pots themselves? It is the line.
- The Gulf Coast states have addressed abandoned pots due to concerns about declining crab populations rather than due to marine mammal populations.
- Any recommendations for the commercial side should see similar recommendations for the recreational side. Educational programs should address recreational crabbers, as well as the commercial crabbers. Requiring new pot designs for recreational

crabbers would be less of a financial burden than for commercial crabbers. Recreational crabbers use only a small number of pots but the cumulative numbers of pots can be staggering.

- There will be an economic consequence to anything that we propose. Should we be concerned?
- Inverted bait wells would not be needed for the whole East coast. We should recommend this only for areas where there is a problem.
- Make a recommendation for getting a better estimate of the numbers of dolphins in estuaries.
- Is there a way to improve surveillance on crab pots? Could we get the gear retained to be looked at? We already retain anything that we find on animals. Often we only see marks.
- If we recommend a change, we can suggest that it be phased in over time (to reduce costs). Having consistent gear (line) would be very helpful to looking at stranded animals.
- We get beach coverage on stranding and little monitoring done in estuaries and marshes where dolphin sometimes wash up.
- It would not be good to suggest something like an observer program if it would not be worth the effort.
- What we need is more data, not necessarily an “observer program.” NMFS has to come up with some way of assessing the nature of the problem with confidence. Let them figure out how to do that. Recommend that they get the data to be able to better understand the problem.
- It is not about getting better estimates, it is about just getting any estimates for bays, sounds, and estuaries.
- Make recommendations for education and outreach. The registration of fishermen in category I and II fisheries gives us the addresses where we can send them information.
- In regard to costs, NMFS wants to spend money to address the issues, but the observer program for blue crabs is not practicable use of funds.
- Standards for assessing the pot interactions (used in the stranding program) should be consistent throughout the states.
- Note that there should be a global change to indicate that it is stranding program and not observers.
- The TRT should not be restricted to what NMFS thinks is actually practical. Recommendations should not be restricted to management as it exists today.
- The TRT should look at the full range of options. It is part of NMFS’s responsibility to tell you about our constraints in funding and what we can do, e.g., our comments about observers for the blue crab fisheries.
- In the past we have pointed out the data needs in bit and pieces in several TRTs, yet over time little headway is made in getting better data. NMFS should examine our recommendations and then tell us what it looks like in terms of your estimates of the resource needs. NMFS: We can try to develop rough estimates.
- Suggest that observers not be placed on crab boats, but instead there be a more intensive effort to look at stranded animals in marshes and estuaries, where those that have interacted with pots might be found.

- As a quick correction, this TRT makes recommendations to NMFS and those recommendations can apply to recreational fishers.
- In NC, we know of more than one crab pot interaction. This knowledge comes from law enforcement and other sources.
- The Marine Mammal Protection Act (MMPA) has effect over all marine mammal takes. We can recommend that things be done to affect recreational fisher, but not to regulate them.
- I do not expect that NMFS could enforce regulations in state waters. They can enforce regulations on recreational fisherman who hold permits to fish in federal waters.
- The MMPA lets us regulate all commercial fisheries.
- We have two problems. First, there are dolphins in southern states that feed from pots and become entangled. Second, vertical line entanglements occur in the other states. Can we separate the options into the two areas/levels of problems. In the north we might address all vertical lines, not just crab pots.

Preliminary recommendations for the blue crab fishery

The TRT then developed a preliminary set of recommendations for the blue crab fishery on the east coast. These recommendations were developed with the following caveats:

- (1) Efforts should apply to all users of commercial-type crab pot gear.
- (2) Implementation should be phased in to minimize the burden on crabbers.
- (3) The recommendations that focus on the states are intended to be offered as encouragements to the states for their adoption.

Members also expressed their preferences for the different options. (These preferences are not those of the TRT as a whole, for the number of stakeholder representatives differ considerably.) The options are presented here in order of preference of the individual members, along with the name(s) of TRT members who agreed to take the lead in further developing the option¹. These options would then be provided to the full TRT.

The five most preferred options:

- NMFS obtain and use accurate estimates of the numbers of animals and interactions in estuaries, sounds, and bays. [Lead: Andy Read]

¹ The persons' names in brackets, following the option, are those who are taking the lead in filling out/completing the option. They will write up a more complete version of this option and distribute it to the TRT. They will send their work to Katie Moore at NMFS at the following address: Katie.Moore@noaa.gov or call at 727.570.5312. The drafts should be sent to her by February 13 so that she can give each one a document number and then distribute them to the team and others prior to the next TRT meeting. Please call Katie or e-mail her to get help in setting up any conference calls.

- Stranding program--uniform protocol for stranding personnel to judge crab pot interactions. [Lead: Mark Swingle]
- Education and outreach to crabbers. [Lead: Chris Ludford]
- Sinking lines (braided nylon?). [Lead: Joe DeAlteris & Dave Beresoff]
- State specific programs to remove derelict gear (e.g., all pots are removed or float colors are changed periodically). [Lead: Bruce Halgren with Tim Ragen]

Mid-range of preferred options:

- Stranding program--beef up to cover estuaries, etc. [Lead: Mark Swingle]
- Uniform type of line for entire coast. [Lead: Joe DeAlteris & Dave Beresoff]
- New pot designs, e.g., inverted bait wells (pertinent to GA). [Lead: Carl Poppell & Chris Ludford]
- Recycling program for old traps. [Lead: Nina Young with Bruce Halgren's assistance. Chris Ludford to look at education component]

Least preferred option(s) (considered and rejected?):

- Blue crab observer program (interactions).

Take Reduction Options for Gill Net Fisheries

The TRT then shifted to the identification of take reduction options for gill net fisheries. The TRT indicated its desire to consider options by management unit. They decided to consider the winter mixed stock management unit first, which includes the northern migratory stock, the northern North Carolina stock and the southern North Carolina stock. The time frame for the winter mixed stock is from November 1 to April 1.

Options were first generated by individuals, who then met in small groups to share ideas and create group lists. These were then reported to the TRT and posted to a master list. Summaries of the options were written on letter-sized sheets of paper and posted to the wall. A group of volunteers sorted them into clusters of similar ideas. (Copies of the resulting sort were distributed to the TRT on January 25 as document 1-24-02q.)

Operations Options

- Three linked items:
 Requirement to tend the gillnet gear or an amount of time that the gear could be unattended.
 Plus: Reduce dolphin mortality. Tend to reduce soak time of gear. If you find an unattended net it is clearly in violation. Assumes that by being there you can see the dolphins and then act to keep them out. Flexible--allow for untended nets in times of year when dolphins are not present. Flexible in how "untended" is defined, but bottom line is you bring your nets back with you.

Minus: Burden on fishermen. Depends on time of year and water temperature to determine decent set time. Difficult to enforce. It limits the amount of gear that a fisherman can set, since a net must be tended. Fisherman could not rescue a tangled dolphin in deep water.

No overnight sets.

Gear must be removed from ocean--it cannot be left out in the ocean.

- Soak time limits.
- Three linked items:
 - Apply harbor porpoise closures to bottlenose dolphin mitigation.
 - Restrictions on distances that nets might be set from beach.
 - Area/seasonal closures.
- Net orientation--parallel or perpendicular to the beach.
- Anchored versus non-anchored gear.
- Length restrictions on the net.
- Prohibition of recreational use of commercial gear in areas of high dolphin interaction and/or abundance.

Gear Characteristics Options

- Increase acoustic reflectivity of nets.
- Mesh size restrictions.
- Repair large holes in nets.
- Break away links.
- Three linked items:
 - Increase the stiffness of the nets.
 - Require light/easily breakable netting.
 - Twine size restrictions.
- Two linked items:
 - Require breaks between consecutive shots of net.
 - Eliminate loose lines associated with fixed gill nets between shots of net.
- Twine type--mono, nylon, multifilament--restrictions.
- Non-floating or sinking float lines and flag lines.
- Profile of net in the water column--height of net.

Education Options

- Dead discards placed in the sea away from nets.
- Information and education program for fishermen (elimination of loose lines around breaks, forums conducted by NMFS outreach staff, repairing large holes in nets, network to inform areas with hot fisheries/high chance of dolphin interaction, handling release procedures).

Management Options

- Increased enforcement. (Enforcement is part of but also separate from management.)
- Gear specific allocation of how much (number of dolphins) can be taken.

- Allocate unused PBR.
- Buy outs or elimination of dirty fisheries.
- Allow entry of displaced inshore fishermen in the moratorium fisheries into offshore fisheries.
- Consider benefits of current state and federal fisheries and protected species management actions.
- Decrease catch limits (Total Allowable Catch - TAC - reductions) and/or fishing effort reductions.
- Reduce regulatory discards.
- Information about areas with hot fisheries/high chance of dolphin interaction.
- Dynamic management--gear pulled out when there is a high density of dolphins in the water.
- Real time monitoring.
- To the degree practical, maintain traditional fisheries. Minimize the changes made to existing fisheries.
- Consider socio-economic impacts of various mitigation measures and the bottlenose dolphin take reduction plan.
- Extend boundary of winter mix stock to Chesapeake Bay.
- No mitigation measures inside the COLREG line (the ocean and bay demarcation lines) until the assessments cover these waters.

Research Options

- Include fishermen in investigation of strandings that involve human interaction.
- Increase support of stranding networks as a source of data.
- Three linked items:
 - Increased observer coverage in hot spots.
 - Improve observer training.
 - Improve quality control of observer data.
- Three linked items:
 - Bring every dead entangled animal to be worked up.
 - Develop techniques to assign mortality to a particular stock.
 - Improve estimates of dolphin abundance, take, and stock structure.
- Four linked items:
 - Institute a gear advisory group to instigate gear development and testing.
 - Basic research on why dolphins actually entangle.
 - Develop gear avoidance technology, including pingers, reflective netting, etc.
 - Other forms of deterrents, e.g., seal bombs.
- Some consideration for directed fisheries along the Outer Banks and Virginia Capes-- look at the historic exploitation of dolphin through the 1920s.

Participants sorted themselves into two caucuses. One was clearly the fishermen's caucus and the other one appeared to be everyone else who wanted to participate. The caucuses were asked to come back with a short list of elements or options that they wanted NMFS to test for potential risk reduction based on past observer data. These

might be included in the plan for the winter mixed stock off North Carolina for the gill net fishery. The two caucuses reported out their ideas. The ideas were then discussed with Debi Palka and other NMFS staff to clarify what the agency was to look at and report back to the TRT at or prior to the next meeting.

These are all exploratory options to be looked and studied by staff. The TRT will later look at them to determine, by consensus, whether they should be included in the plan.

Report of options by the “Fishermen’s Caucus”:

Contact person: Rick Marks

- (1) Fishery that targets Kingfish (Sea Mullet) to analyze twine size if it is held to less than but not equal to 0.70 mm.
- (2) No overnight sets for trips with mesh size greater than seven inches, excluding nets with tie downs for distances from shore in blocks from 3 km, 6 km, 9 km, 12 km and 27 km.
- (3) Off NC and VA: for trips for spiny dogfish as target species, no overnight sets.
- (4) Do the analysis for number 3 but limit the float line length to 1200, 1500, and 1800 feet.
- (5) For VA and NC trips targeting striped bass, soak time less than 24 hours.
- (6) Do the analysis for number 5 but for VA trips only, hold the float line length to less than or equal to 900 and 1200 feet.

Homework: Data snoop to guess-timate what the dolphin mortality might be with the options. Analysis will look at number of hours and not necessarily “overnight”—could look at brackets of soak times? Operationally, might have to go to less than 12 hours to get at overnight.

Note: Debi Palka will look at overnight and less than 12 hours and 6 hours wherever it says “overnight” in the options. She will look at possible reduction in by-catch rates and then the effect can be calculated based upon effort. Deb Palka can assume a constant effort but the TRT might want to assume reduced effort.

Report of options by the “Mixed Species Caucus”:

Contact person: Andy Read

For the time frame and for NC and VA:

- 1) Estimate the effects of the current existing FMPs for spiny dog fish on Bottlenose dolphin by catch based on 95 to 2000. Assume that there is no effort displacement.
 - A) What benefits in by catch reduction do you get from the closures in the Harbor Porpoise TRP.
- 2) What is the effect on BD by catch if effort is displaced proportionally into the bluefish and the croaker fisheries where they occur? With the caveat that we are referring back to #1 and now saying what might happen if there is displacement.

- 3) Evaluate soak time reductions by 6 hour intervals in both the medium and the large mesh fisheries.
- 4) Evaluate area closures off the beach by 1 km intervals out to 3 km in NC and VA.

The analysis might also look at how well we might be able to determine how well they are working. Tell us if we cannot assess the effects in the future.

Additional Requests

Kathy Wang asked for comments on the economics report (document #11-6-01 aj) that had been distributed at the first meeting of the TRT in November, 2001.

The TRT also requested data and information on:

- The characteristics (i.e., age, condition) of entangled animals, a comparison of finfish catch in hauls with and without dolphins to determine if the presence of mammals in the net impacts fin fish catch, location of where the dolphin are caught in the nets (at ends or ?), and were they tail wrapped in the cork line, side line, or lead line. Look at taken animals and stranded animals.
- What is the significance of the loss of a juvenile male to the future of the stock due to its social structure?

The table, “Fishing effort in the Mid-Atlantic since the dogfish fishery elimination (May 2000)” (document 1-23-02 p) was seen as extremely helpful. TRT members requested similar summary tables for other gear types and for other states. (Try to consolidate into a summary the Characterization of NC Fisheries by Steve et al. that was passed out at one of the workshops.)

Report on Gear Advisory Group: Bill Foster

Fifteen people met on January 25 to discuss the desirability of forming a gear advisory group. The consensus was not to have a formal gear advisory group at this time, but instead to use the entire TRT for now. Bill Foster will also try a virtual gear advisory group on the internet or ask for volunteers to meet on the afternoon prior to the beginning of a TRT meeting.

Public Comments

Opportunities were provided for public comment at the end of each day’s session on January 23, 24 and 25, 2002. There were no public comments provided to the facilitators on either January 23 or January 25. One individual provided comments on January 24. His comments are provided in Appendix III.

Appendix I

Observers of the January 23 – 25, 2002 TRT Meeting

Kyle Ashcraft
CO/FISL

Jake Asher

Robin Baird
NOAA/NMFS

Sue Barco
VMSM

Ari Friedlaender
Duke University

Annie Gorgone
NOAA/NMFS

Shepherd Grimes
NOAA GCSE

Sarah Hagedorn
Duke University

Bill Herr
U. S. Coast Guard

Stephen Holiman
NMFS/SER O

Nicholas Hopkins
Pascagoula Harvesting System

Dan Hytrek
NOAA GCF

Jenn Lawrence
NOAA/NMFS

Kristy Long
Duke University

Colleen Martin
NOAA/NMFS

Erin Meagher
UNCW

Katie Moore
NMFS

Carrie Morton
AK, HI, NE states

Gretchen Newman
UNCW

Cindi Perry
National Aquarium in Baltimore
Marine Animal Rescue Program

Jacqueline Poppell
Georgia Crab Fishery

Bill Rogers
MCAS Cherry Point

Vicky Thayer
Duke University

Teresa Thorpe
CMS

Leigh Torres
Duke Marine Lab

Kim Urian

Danielle Waples
Duke Marine Lab

Zoey Zahorodny
NOAA/NMFS

Appendix II

East Coast Dolphin Research: Letters to the House and Senate Appropriations leadership

Letters were sent to the following members of the Senate and House of Representatives, with copies to The Honorable Donald Evans, Secretary of Commerce, Admiral Lautenbacher, Undersecretary, NOAA; and Dr. William Hogarth, Assistant Administrator, NMFS.

Senator Robert C. Byrd
Chairman
Appropriations Committee
S-128 Capitol
Washington, D.C. 20510

Senator Fritz F. Hollings
Chairman, Appropriations Subcommittee for
Commerce, Justice, State & Judiciary
S-146A Capitol
Washington, D.C. 20510

Senator Ted Stevens

Senator Judd Gregg

Ranking Member
Subcommittee
Appropriations Committee
S-128 Capitol
Washington, D.C. 20510

Ranking Member, Appropriations
for Commerce, Justice, State & Judiciary
S-146A Capitol
Washington, D.C. 20510

Congressman C. W. Young
Chairman
Appropriations Committee
H-218 Capitol
Washington, D.C. 20515

Congressman Frank R. Wolf
Chairman, Appropriations Subcommittee on
Commerce, Justice, State & Judiciary
H-309 Capitol
Washington, D.C. 20515

Congressman David R. Obey
Ranking Member
Subcommittee on
Appropriations Committee
H-218 Capitol
Washington, D.C. 20515

Congressman Jose E. Serrano
Ranking Member, Appropriations
Commerce, Justice, State & Judiciary
H-309 Capitol
Washington, D.C. 20515

Dear Senator/Congressman:

We, the undersigned members of the East Coast Bottlenose Dolphin Take Reduction Team ("BDTRT"), want to bring your attention to an immediate and critical situation--the lack of funding which is hampering the ability of the BDTRT to meet its responsibilities pursuant to Section 118 of the Marine Mammal Protection Act ("MMPA"). The undersigned BDTRT members respectfully request \$1.0 million for direct research be allocated to the National Marine Fisheries Service ("NMFS") during FY '02 to specifically address this programmatic shortfall.

The MMPA was amended in 1994 to address management of strategic stocks through a stakeholder TRT process using the best scientific information available. *See MMPA Sections 117 and 118(f)*. The success of the TRT process depends heavily on scientific data provided by the NMFS. However, past efforts to secure adequate funding to conduct critical research have not been successful. While the BDTRT is charged with producing a plan, its ability to accomplish its required objectives is severely compromised by the lack of essential data which is due in large part to a lack of funding for East Coast dolphin research. Insufficient or poor data will very likely result in poor management decisions, ineffective conservation of bottlenose dolphins, and unnecessary economic hardship for commercial fishermen.

We respectfully urge that you provide \$1.0 million during FY '02 to:

- (1) Update and improve accuracy of abundance estimates;
- (2) Expand genetic analysis to accurately determine stock structure;
- (3) Describe stock distribution and movement patterns;
- (4) Develop and test gear mitigation alternatives; and

(5) Improve estimates of fishing and non-fishing related sources of mortality. These research components are crucial for the BDTRT to effectively and accurately complete its required tasks.

The members of the BDTRT thank you for your interest and attention to this critical matter. We look forward to your response and hope that you can provide the support necessary to complete our MMPA work. Please feel free to contact our facilitators should you have any questions.

Respectfully submitted,

[Signed by the following members of the TRT, with their affiliations:]

Carl Poppell, Sr.	Coastal Fisheries Advisory Council Georgia Blue Crab Issues Subcommittee
David. E. Woolman	South Carolina Crabbers Association
Paul Biermann	Carteret County Fisherman's Association
Sentiel Rommel	Florida Fish and Wildlife Conservation Commission
Mike Greco	Delaware Division of Fish and Wildlife
Bruce Halgren	New Jersey Division of Fish and Wildlife
Joseph DeAlteris	University of Rhode Island Fisheries Center
William Outten	Maryland Department of Natural Resources
David A. Beresoff	Beresoff Fishing Company - North Carolina
Nina Young	The Ocean Conservancy
Sharon Young	The Humane Society of the United States
Fentress H. Munden	North Carolina Division of Marine Fisheries
Rick Marks	Garden State Seafood Association
Rick Luedtke	Garden State Seafood Association
Robert E. Munson	New Jersey Watermen's Association
David Swanner	North Carolina Gillnet, Pound Net, Beach Seine
Robert A. West	North Carolina Fisherman
Chris Hickman	North Carolina Fisherman
David Christopher Walker	Eastern Shore Waterman's Association - Virginia
John Christopher Ludford	Lower Bay Waterman's Association - Virginia
Bill Hitchcock	North Carolina Fisheries Association
Lewis Gillingham	Virginia Marine Resources Commission
W. Mark Swingle	Virginia Marine Science Museum

Appendix III

Public Comment

One individual provided comment as follows:

- (The commentor provided samples of two nets, one a “North Carolina net” with 2 – 3 inch mesh (208 or 277 mesh), and the other, an 8 ½ - 10 inch monofilament mesh net.) “This large shark entangled mesh net with a Rhode Island tag is the kind of net that kills dolphins.”

- “The most recently killed dolphin in North Carolina (observed by the National Marine Fisheries Service) was taken by a part-time fisherman with more family connection than sense. He was not really an experienced fisherman. We full-time fishermen get blamed for the mess left behind by the part-time fishermen. They don’t take their nets out of the water and they don’t clean up their mess.”
- “There have been no landings of dogfish in North Carolina for the last two years. Massachusetts has had the entire quota for two years in a row. The dogfish I caught I sold to students for study. No dogfish were sold for food. For the past two weeks, nets set between Cape Hatteras and the South Carolina line sank to the bottom with dogfish bycatch (they were not targeted). The animals were thrown away and no one benefited. We would like to be able to sell dead dogfish.”
- “Where did the shortage (of dogfish) come from? Ninety-five percent of what we are catching are big females. Come down and check what’s out there.”